

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION**

ROBERT CLARK, AS PERSONAL ) Civil Action No.: 2:19-cv-00330-TER  
 REPRESENTATIVE FOR THE ESTATE OF )  
 ROBERT CLARK, JR. )  
 )  
 Plaintiff, ) **ORDER APPROVING SETTLEMENT**  
 )  
 v. )  
 )  
 THE BERKELEY COUNTY SHERIFF'S )  
 OFFICE; JAMES VANSANT, in his )  
 individual capacity; and JOHN PETERS, in )  
 his individual capacity )  
 )  
 Defendants. )

THIS MATTER COMES BEFORE THE COURT by way of Petition of the duly appointed Personal Representative of the Estate of Robert Clark, Jr. (ECF No. 105), seeking an Order, pursuant to S. C. Code Ann. § 15-51-42, for approval of the settlement of a wrongful death and survival action. A hearing was held via videoconference on December 8, 2021, at which counsel for all parties were present and the Personal Representative was questioned by the Court under oath as to whether the settlement was fair and reasonable and in the best interest of the Estate of Robert Clark, Jr.<sup>1</sup>

The Court has reviewed the Verified Petition for Approval of Settlement of Wrongful Death and Survival Claims, and the Final Disbursement Statements, attached as Exhibit A to the Petition, and has considered the testimony offered at the hearing and finds that the proposed settlement, in the amount of \$612,500.00 is fair and reasonable, and in the best interest of the Estate of Robert Clark, Jr., and the wrongful death beneficiary.

NOW, THEREFORE, IT IS

<sup>1</sup> The record reflects the decedent died intestate.

ORDERED that the proposed settlement by the Estate of Robert Clark, Jr. with Defendants in the total amount of \$612,500.00 payable to Robert Clark, Personal Representative of the Estate of Robert Clark, Jr. memorialized in the Release, is hereby approved; and

IT IS FURTHER ORDERED that Personal Representative Robert Clark is hereby authorized and directed to consummate the said settlement for and on behalf of the Estate of Robert Clark, Jr. and any statutory wrongful death beneficiaries, and to execute a full, final and complete release and discharge of Defendants, in consideration of the payment of the sum set forth above; and

IT IS FURTHER ORDERED that payment of the settlement funds by Defendants shall relieve and discharge Defendants from further liability and all obligations or legal duties to see to the appropriate or proper distribution of the settlement proceeds in accordance with S. C. Code Ann. §15-51-42(E); and

IT IS FURTHER ORDERED that, upon payment as aforesaid to the Personal Representative, the obligations of Defendants are fully and completely released and finally and forever discharged from any further responsibility in connection with the death of Robert Clark, Jr.;

IT IS FURTHER ORDERED that attorney fees, costs, and other disbursements as set forth on **Exhibit A** attached to the Petition are approved and that the Personal Representative be and is hereby authorized and directed to make disbursements in accordance with **Exhibit A** attached to the Petition and incorporated herein by reference.

The Motion for Settlement (ECF NO. 105) is **GRANTED**.

**IT IS SO ORDERED, ADJUDGED AND DECREED** this 9<sup>th</sup> day of December, 2021, at Florence, South Carolina.

s/Thomas E. Rogers, III  
HONORABLE THOMAS E. ROGERS, III  
UNITED STATES MAGISTRATE JUDGE